

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

JANE DOE, Individually And In Her Official Capacity  
And All Others Known Or Unknown Past, Present And  
Future Students At MD UMEMS And Or Any Other MD  
HBCUs Of The University Of Maryland System Who  
Have Been, Currently And/Or Possible Victims Of  
**Direct** Race, Sex, Age, Gender And Other Acts Of  
Discrimination & Biases  
EMAIL: [Psychdotor101@Gmail.Com](mailto:Psychdotor101@Gmail.Com)

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JANE DOE A/K/A BERRI A. WELLS  
7414 Riverhill Rd.  
Oxon Hill, Maryland 20745  
(301) 905-7160  
Email: [ABETTERCOACH@GMAIL.COM](mailto:ABETTERCOACH@GMAIL.COM)

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BERRI A. WELLS  
7414 Riverhill Rd.  
Oxon Hill, MD 20745  
(301) 905-7160

*Plaintiffs,*

Civil Action No. \_\_\_\_\_

v.

STATE OF MARYLAND  
Larry Hogan Governor  
100 State Circle  
Annapolis, Maryland 21401-1925

STATE OF MARYLAND  
Maryland General Assembly/MD House Speaker – Hon.  
Adrienne A. Jones, And All Other Members Known Or  
Unknown,  
90 State Circle  
Annapolis, MD 21401-1925

UNIVERSITY OF MD COLLEGE PARK,  
UNIVERSITY SYSTEM OF MARYLAND  
Hon. Wallace Loh, President and/or Successor Darryll J.  
Pines  
1101 Main Administration Bldg,  
College Park, MD 20742

UNIVERSITY OF MARYLAND-COLLEGE  
PARK,UNIVERSITY SYSTEM OF MARYLAND  
Attn: Board Of Regents And Board Of Trustees  
1101 Main Administration Bldg.  
College Park, MD 20742

MARYLAND HIGHER EDUCATION COMMISSION  
MD ATTORNEY GENERAL, CONSUMER  
PROTECTION DIVISION  
200 St. Paul St.  
Baltimore, MD 21202

ASSOCIATE DIRECTOR OF CAREER AND  
WORKFORCE EDUCATION, MARYLAND HIGHER  
EDUCATION COMMISSION  
6 N. Liberty Street, 10<sup>th</sup> Floor  
Baltimore, MD 21201

OFFICE OF THE SECRETARY,  
MARYLAND STATE DEPARTMENT OF  
EDUCATION,  
200 West Baltimore Street  
Baltimore, MD 21201-2595

STATE OF MARYLAND  
University Of Maryland College Park Office Of The  
General Counsel  
2117 Seneca Bldg.  
College Park, MD 20742

UNIVERSITY OF MARYLAND-COLLEGE PARK,  
Office Of Civil Rights & Sexual Misconduct,  
3101 Susquehanna Hall  
4200 Lehigh Rd.  
College Park, MD 20742

UNIVERSITY OF MD-COLLEGE PARK  
Ombudsman Officer, Hon. Mark A. Shayman  
2117 Seneca Bldg.  
College Park, MD 20742

OFFICE OF THE PRESIDENT-UMES/MD HBCU Dr.  
Heidi M. Anderson, President  
11868 College Backbone Rd.  
Princess Anne, MD 21853-1299

**DR. PRINCE ATTOH**  
Program Director, Instructor, Student-Advisor,  
UMES/MD HBCU  
11868 College Backbone Rd.  
Princess Anne, MD 21853-1299

**MS. CHERYL DUFFY**  
Registrar, UMES/MD HBCU  
11868 College Backbone Rd.  
Princess Anne, MD 21853-1299

**DR. LAKEISHA HARRIS,**  
Interim Dean-Graduate School, UMES/MD HBCU  
11868 College Backbone Rd.  
Princess Anne, MD 21853-1299

**JASON CASEARES,**  
Dir., UMES/MD Office Of Institutional Equity &  
Compliance  
11868 College Backbone Rd.  
Princess Anne, MD 21853-1299

**DR. JOYCE BELL**  
Interim Chair-DSS, UMES/MD HBCU  
11868 College Backbone Rd.  
Princess Anne, MD 21853-1299

**DR. MARSHALL STEVENSON,**  
Dean, UMES/MD HBCU  
11868 College Backbone Rd.  
Princess Anne, MD 21853-1299

**DR. BOYD**  
UMES/MD HBCU  
11868 College Backbone Rd.,  
Princess Anne, MD 21853-1299

**STATE OF MARYLAND**  
State Treasurer, Nancy Kopp  
80 Calvert Street, Room 109  
Annapolis, MD 21401

**DEPARTMENT OF BUDGET & MANAGEMENT,**  
**CENTRAL COLLECTIONS UNIT**  
300 W. Preston Street

Baltimore, MD 21201

U.S. ATTORNEY AND U.S. ATTORNEY GENERAL  
& OFFICES  
36 S. Charles St., Baltimore, MD 21201

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR  
CIVIL RIGHTS  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-1100

OFFICE OF CIVIL RIGHTS, PHILADELPHIA  
OFFICE,  
U.S. Department of Education  
100 Penn Square East, Suite 515  
Philadelphia, PA 19107-3323

MIDDLE STATES COMMISSION ON HIGHER  
EDUCATION  
Attn: Hon. Dr. Heather Perfetti, President Elect 3524  
Market Street, Suite 2 West,  
Philadelphia, PA 19104

*Defendants.*

\* \* \* \* \*

#### **NOTICE OF REMOVAL**

The State of Maryland Defendants, by their undersigned counsel, hereby gives notice, pursuant to 28 U.S.C. 1441 and 1446, of the removal of this action from the Circuit Court for Somerset County, Maryland to the United States District Court for the District of Maryland, Northern Division.

The State of Maryland Defendants include, and this Notice of Removal is filed on behalf of, the State of Maryland and the following Maryland State agencies and officers named in the caption of the Complaint:

STATE OF MARYLAND  
Larry Hogan Governor

STATE OF MARYLAND

Maryland General Assembly/MD House Speaker – Hon. Adrienne A. Jones,  
And All Other Members Known Or Unknown,

UNIVERSITY OF MD COLLEGE PARK, UNIVERSITY SYSTEM OF  
MARYLAND

Hon. Wallace Loh, President and/or Successor Darryll J. Pines

UNIVERSITY OF MARYLAND-COLLEGE PARK, UNIVERSITY  
SYSTEM OF MARYLAND

Attn: Board Of Regents And Board Of Trustees

MARYLAND HIGHER EDUCATION COMMISSION  
MD ATTORNEY GENERAL, CONSUMER PROTECTION DIVISION

ASSOCIATE DIRECTOR OF CAREER AND WORKFORCE  
EDUCATION, MARYLAND HIGHER EDUCATION COMMISSION

OFFICE OF THE SECRETARY,  
MARYLAND STATE DEPARTMENT OF EDUCATION,

STATE OF MARYLAND

University Of Maryland College Park Office Of The General Counsel

UNIVERSITY OF MARYLAND-COLLEGE PARK,  
Office Of Civil Rights & Sexual Misconduct,

UNIVERSITY OF MD-COLLEGE PARK  
Ombudsman Officer, Hon. Mark A. Shayman

OFFICE OF THE PRESIDENT-UMES/MD HBCU Dr. Heidi M. Anderson,  
President

STATE OF MARYLAND

State Treasurer, Nancy Kopp

DEPARTMENT OF BUDGET & MANAGEMENT, CENTRAL  
COLLECTIONS UNIT

The grounds for removal are as follows:

1. Plaintiff filed a four (4) count Complaint (the “Complaint”) in the Circuit Court for Somerset County, Maryland on June 23, 2020. Copies of the Summons received by the State of Maryland Defendants are attached as Exhibit 1, the Complaint as Exhibit 2, and the Case Information Sheet as Exhibit 3.

2. Plaintiff asserts both federal and state law causes of action. In Count One, Plaintiff asserts federal claims arising under: the Civil Rights Act of 1866; the Civil Rights Act of 1964; the Age Discrimination Act of 1975; 42 U.S.C. § 1981; 42 U.S.C. § 1983; 42 U.S.C. § 1985; 42 U.S.C. § 1986; Title VI of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; and violations of the 5<sup>th</sup>, 8<sup>th</sup>, and 14<sup>th</sup> Amendments to the United States Constitution. *See* Complaint ¶¶ 1, 4. Count One also contains claims arising under state law. *See id.* In Counts Two through Four, Plaintiff asserts various state law causes of action.

2. Under 28 U.S.C. § 1331, “[t]he district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.” Therefore, this Court has original jurisdiction over the federal causes of action asserted in Count One. The Court has supplemental jurisdiction over the state law causes of action pursuant to 28 U.S.C. § 1337.

3. Because this Court has original jurisdiction under 28 U.S.C. §§ 1331, this action may be removed to this Court pursuant to 28 U.S.C. 1441(a).

4. Removal is timely under 28 U.S.C. §1446(b)(2). The State of Maryland Defendants were served, via service on the Attorney General of Maryland, on June 29, 2020. Therefore, the deadline for removal is July 29, 2020. *See* 28 U.S.C. § 1446(b)(1). Undersigned counsel is unaware of any of the other named defendants, including the individual defendants, having been served to date.

5. Pursuant to Local Rule 103.5, true and legible copies of all process, pleadings, documents and orders which have been served upon the Defendants are filed with this Notice of Removal. See Exhibits 1-3. Moreover, as no other pleadings have been filed in the Circuit Court for Somerset County, this Notice of Removal shall constitute certification, pursuant to Local Rule 103.5, that all papers filed with the Circuit Court for Somerset County have now been filed in this Court.

6. Defendant will promptly file a copy of this notice with the Clerk of the Circuit Court of Somerset County, as required by 28 U.S.C. §1446(d).

WHEREFORE, based on the foregoing, the State of Maryland Defendants respectfully request that this Court accept its Notice of Removal, and accept jurisdiction over and docket this action in this Court.

Respectfully submitted,

BRIAN E. FROSH  
Attorney General of Maryland

/s/ Raymond R. Mulera

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RAYMOND R. MULERA  
Assistant Attorney General

Office of the Attorney General  
200 Saint Paul Place, 17th Floor  
Baltimore, Maryland 21202  
[rmulera@oag.state.md.us](mailto:rmulera@oag.state.md.us)  
(410) 576-7053  
(410) 576-6437 (facsimile)

July 29, 2020

Attorneys for the State of  
Maryland Defendants

## **CERTIFICATE OF SERVICE**

I certify that, on this 29 th day of July, 2020 the foregoing was served by CM/ECF on all registered CMF users and by first-class mail on the following:

Berri A. Wells  
7414 Riverhill Rd.  
Oxon Hill, Maryland 20745  
(301) 905-7160

Robert K. Hur  
U.S. Attorney for the District of Maryland  
36 S. Charles St.  
Baltimore, MD 21201

U.S. DEPARTMENT OF EDUCATION,  
OFFICE FOR CIVIL RIGHTS  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-1100

OFFICE OF CIVIL RIGHTS, PHILADELPHIA  
OFFICE,  
U.S. Department of Education  
100 Penn Square East, Suite 515  
Philadelphia, PA 19107-3323

Tim McCormack  
Ballard Spahr  
300 East Lombard Street  
18<sup>th</sup> Floor  
Baltimore, Maryland 21202  
Attorney for MIDDLE STATES COMMISSION  
ON HIGHER EDUCATION

/s/ Raymond R. Mulera

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Raymond R. Mulera